

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

NO. 2:19-MC-00073-RSL

Plaintiff,

(2:07-CR-00366-RSL-1)

V.

Continuing Garnishment Order

JOSEPH C. LAVIN,

Defendant/Judgment Debtor,

and

MANUAL THERAPY INTERNATIONAL
PROFESSIONAL SERVICES, PLLC,
dba MTI Physical Therapy,

Garnishee.

A Writ of Continuing Garnishment, directed to Garnishee, Manual Therapy International Professional Services, PLLC, dba MTI Physical Therapy (MTI Physical Therapy), has been duly issued and served upon the Garnishee. Pursuant to the Writ, MTI Physical Therapy filed its Form Answer on October 15, 2019, stating that at the time of the service of the Writ, Defendant/Judgment Debtor Joseph C. Lavin's spouse, Wendy Lavin, was an active

1 employee who was paid monthly, and who maintained interest in a 401(k)
2 plan that is in the possession, custody, or control of the Garnishee.
3
4

5 After notification of the garnishment proceeding was mailed to the
6 parties on or about September 10, 2019, the Defendant/Judgment Debtor
7 and his spouse have not requested a hearing to determine exempt property as
of this date.
8

9 IT IS THEREFORE ORDERED as follows:
10
11

12 That the Garnishee, MTI Physical Therapy, shall pay to the United
13 States District Court for the Western District of Washington, (1) the non-
14 exempt earnings payable to Defendant/Judgment Debtor's spouse, Wendy
15 Lavin, upon each period of time when Ms. Lavin is entitled to receive such
16 funds, and (2) fifty percent (less federal tax withholdings paid to the Internal
17 Revenue Service) of non-exempt property from any and all accounts, including
18 the 401(k) plan, in the Garnishee's possession, custody or control, in which
19 Wendy Lavin is fully vested and meets the requirements to withdraw, or
20 becomes eligible to withdraw, but such amount shall not exceed the amount
21 necessary to pay Mr. Lavin's restitution balance in full; and
22
23

24 That the Garnishee shall continue said payments, if any, until
25 Defendant/Judgment Debtor Joseph C. Lavin's debt is paid in full or until
26 Wendy Lavin is no longer an active employee of Garnishee and the Garnishee
27 no longer has possession, custody, or control of any funds due and owing to
28 Ms. Lavin or until further order of this Court. This includes all monies
29

required to be previously withheld by the Garnishee, in accordance with the
Writ of Continuing Garnishment;

That such payment(s) shall be applied to Defendant/Judgment Debtor Joseph C. Lavin's outstanding restitution obligation, by the United States District Court for the Western District of Washington; and

That the payments shall be made out to the United States District Court, Western District of Washington, referencing Case Nos. 2:07-CR-00366-RSL-1 and 2:19-MC-00073-RSL, and to deliver such payment either personally or by First Class Mail to:

United States District Court, Western District of Washington
Attn: Financial Clerk – Lobby Level
700 Stewart Street
Seattle, Washington 98101

Dated this 10th day of March, 2020.

Robert S. Lasnik
JUDGE ROBERT S. LASNIK
United States District Court Judge

Presented by:

s/ Kyle A. Forsyth
KYLE A. FORSYTH, WSBA #34609
Assistant United States Attorney